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14 UNITED STATES DISTRICT COURT
15
16 NORTHERN DISTRICT OF CALIFORNIA

17 LOCAL 10, INTERNATIONAL LONGSHORE
18 AND WAREHOUSE UNION, et al.,

19 vs.

20 CITY OF OAKLAND, et al.,

Plaintiffs,

21 Defendants.

22
23 AND RELATED CASE

Case No. C -03-2962 TEH (JL)

**DECLARATION OF JOVAN JOHNSON
IN SUPPORT OF LOCAL 10 PLAINTIFFS'
MOTION FOR ATTORNEYS' FEES AND
COSTS**

Date: July 11, 2005
Time: 10:00 a.m.
Courtroom: Dept. 12, 19th Floor
Judge: The Hon. Thelton E. Henderson

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1 DECLARATION OF JOVAN JOHNSON

2 I, Jovan Johnson, declare:

3 1. I have personal knowledge of the matters stated herein and would testify to the same if
4 called to do so as a witness in a Court of law.

5 2. I met Officer Chris Del Rosario when he conducted a warrantless search of my home
6 on or about February 3, 2003, and he arrested me. During that incident, Officer Del Rosario
7 asked me whether I had a boyfriend. I thought this was strange given the fact that he was
8 arresting me. The charges against me were later dismissed.

9 3. Thereafter, on or about February 6, 2003, I am informed and believe and thereon state
10 that Officer Del Rosario arrested my brother, Donte Johnson. I am informed and believe and
11 thereon state that according to my brother, Officer Del Rosario told him words to the effect that
12 he would drop the charges against my brother if my brother could get me to go out with Officer
13 Del Rosario.

14 4. Following my brother's arrest and while he was still in the police car, Officer Del
15 Rosario called me from his police car and asked me if he could take me out. I told him that I had
16 a boyfriend and could not go out with him. I am informed and believe and thereon state that my
17 brother was then taken to the police station and booked.

18 5. Thereafter, my brother, Donte Johnson, had a Court appearance on or about April 7,
19 2003 in Alameda Superior Court at the Wiley W. Manuel Courthouse. I was at the Courthouse
20 with my cousin and a friend waiting on a bench outside the courtroom where my brother's
21 hearing was taking place.

22 6. As Officer Del Rosario entered the courtroom he saw me in the hallway and said, "Oh
23 Jovan! Oh, Jovan!" Approximately 20 minutes later, Officer Del Rosario exited the courtroom
24 and approached me. Officer Del Rosario sat down on the bench next to me and asked me if I
25

was going to testify today. When I told him that I was not going to testify, he said words to the effect that he was glad because he did not want to testify against his "future brother-in-law," referring to my brother Donte Johnson, whose criminal hearing was in process in the courtroom.

7. Officer Del Rosario also told me words to the effect that he was very tired because he "had to shoot a lot of people today", referring to the Port of Oakland demonstration, and that he "shot this one bitch in the forehead and her titties popped out." Officer Del Rosario made these comments in a sarcastic and joking manner.

8. As Officer Del Rosario made these comments he was staring at my breasts. Officer Del Rosario then asked, "So can I pick you up at 7:00?" I knew that Officer Del Rosario was attempting to ask me to go on a date with him.

9. Thereafter, in approximately June 2003, I was in Jack London Square getting a newspaper. Officer Del Rosario drove up to me and said, "You are so fine you should be arrested." He then told me that he had never been out on a date with someone he had arrested and wanted to take me out, "but don't tell nobody, not even your brother." Officer Del Rosario then got a piece of paper and wrote his SWAT pager number down and handed me it to me.

10. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, except as to those matters stated on information and belief, and as to those matters, I am informed and believe them to be true and correct. Executed this 21st day of July, 2004 at Berkeley, California.

/S/
JOVAN JOHNSON